

**UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT**

ST. REGIS ENTERPRISES, LLC

**Petitioner/Cross-
Respondent,**

v.

**NATIONAL LABOR RELATIONS
BOARD and CAROLINE LETT**

**Respondent/Cross-
Petitioner.**

COA Case No. 16-2562 / 16-2725

NLRB Case No. 07-CA-170591

**PETITIONER/CROSS-RESPONDENT'S MOTION FOR A (30) DAY
EXTENSION OF TIME TO FILE
PETITIONER/CROSS-RESPONDENT'S BRIEF ON APPEAL**

Petitioner/Cross-Respondent, **ST REGIS ENTERPRISES, LLC**, by and through their attorneys, Lewis & Munday, P.C., and pursuant to FRAP 26 and 6 CIR 26 move this Honorable Court for a (30) day extension of time in which to file Petitioner/Cross-Respondent's Brief on Appeal for the following reasons:

1. According to the Court's Briefing Schedule dated December 14, 2016, Petitioner/Cross-Respondent's Brief is due January 23, 2017 with Respondent/Cross-Petitioner's Brief due February 22, 2017. (Exhibit "1" Scheduling Notice)

2. On November 7, 2016, Petitioner/Cross-Respondent filed its Petition for Review of Decision and Order of the National Labor Relation Board's ("NLRB") decision and Order dated October 27, 2016 in order to preserve

Petitioner/Cross-Respondent's appeal rights based on Robert Drzyzga, Esq., General Counsel for the NLRB informing Petitioner/Cross-Respondent's Counsel that the NLRB refused to grant Petitioner/Cross-Respondent an extension of time to comply with all of the terms and conditions of the October 27, 2016 Order. (Exhibit "2" R. Drzyzga email dated 11/4/2016)

3. Petitioner/Cross-Respondent has been working diligently with Respondent/Cross-Petitioner to finalize the terms of the NLRB's October 27, 2016 Order. To date, the only remaining compliance obligation is providing written confirmation to Respondent/Cross-Petitioner that the revised rules have been distributed to the employees of Petitioner/Cross-Respondent and that Petitioner/Cross-Respondent has posted the revised rules for employees review for a period of (60) days, which Counsel for Petitioner/Cross-Respondent received confirmation from his client this afternoon that both have occurred and is in the process of forwarding the confirmation to Respondent/Cross-Petitioner for their review. Petitioner/Cross-Respondent believes that the remaining issue will be resolved within the next (30) days (Exhibit "3" McCargo email dated 1/10/2017) which would lead to both St. Regis Enterprises, LLC and the NLRB seeking dismissals of their respective appeals in this matter.

4. Petitioner/Cross-Respondent's Counsel has made every effort to keep Respondent/Cross-Petitioner's Counsel, Julie Broido, Esq. apprised of Petitioner/Cross-Respondent's efforts to comply with the NLRB's October 27, 2016 Order. As such, in communications between Counsel on January 10, 2017, Respondent/Cross-Petitioner's Counsel stated that they would not be opposed to

Petitioner/Cross-Respondent's request for a (30) day extension of time in filing its opening Brief.

WHEREFORE, Petitioner/Cross-Respondent respectfully request that this Honorable Court grant Petitioner/Cross-Respondent's an extension of 30 days to file its Brief on Appeal.

Respectfully submitted,

Lewis & Munday, P.C.

By: /s/ Samuel E. McCargo

Samuel E. McCargo (P25298)

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313-961-2550

Attorney for Petitioner/Cross-Respondent

Dated: January 13, 2017

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**PETITIONER/CROSS-RESPONDENT'S BRIEF IN SUPPORT OF ITS
MOTION FOR A (30) DAY EXTENSION OF TIME TO FILE
PETITIONER/CROSS-RESPONDENT'S BRIEF ON APPEAL**

Petitioner/Cross-Respondent hereby rely on FRAP 26 and 6 CIR. R. 26 in support of their Motion for a (30) Day Extension of Time to File Petitioner/Cross-Respondent's Brief on Appeal.

Respectfully submitted,

Lewis & Munday, P.C.

By: /s/ Samuel E. McCargo
Samuel E. McCargo (P25298)
535 Griswold, Suite, 2300
Detroit, Michigan 48226
313-961-2550
Attorney for Petitioner/Cross-Respondent

Dated: January 13, 2017

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PROOF OF SERVICE

STATE OF MICHIGAN)
) ss.
COUNTY OF WAYNE)

The undersigned, being duly sworn, deposes and says that she served a copy of **Petitioner/Cross-Respondent's Motion for a (30) Day Extension of Time to File Petitioner's Brief on Appeal, Brief in Support of it Motion** and this **Proof of Service** on the following Parties in this matter by electronic mail through the Court's e-file system and by placing a copy of the same in a sealed, postage paid envelope addressed as follows:

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and depositing said envelope in a mail receptacle in the City of Detroit, Michigan
on **Friday, January 13, 2017.**

/s/ Alicia Washington
Alicia Washington

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EXHIBIT LIST

1. COA Scheduling Notice dated 12/14/2016.
2. November 4, 2016 email from Robert Drzyzga, Esq.
3. McCargo email of January 10, 2017